

Message Text

UNCLASSIFIED

PAGE 01 STATE 069955

43

ORIGIN L-02

INFO OCT-01 ARA-10 EUR-12 EA-10 NEA-09 ISO-00 CAB-05

CIAE-00 COME-00 DODE-00 DOTE-00 EB-07 INR-07 NSAE-00

FAA-00 TRSE-00 OIC-02 PA-02 PRS-01 USIA-15 H-02 SS-15

NSC-05 IO-10 /115 R

DRAFTED BY L/EB:FKWILLIS:LMS

APPROVED BY O/TRC:CGRIP

EB/OR/AVP:MRORTMAN

FAA - MR. SELFON(SUBS)

DOT - MR. DRISCOLL(SUBS)

CAB - MR. SCHWARTZKOPH(SUBS)

TREASURY - MR. BRADFIELD

REASURY - MR. LEDDY

OIC - MISS VIHIL (SUBS)

----- 020195

R 272323Z MAR 75

FM SECSTATE WASHDC

TO AMEMBASSY BUENOS AIRES

AMEMBASSY BRUSSELS

AMEMBASSY OTTAWA

AMCONSUL MONTREAL

AMEMBASSY SANTIAGO

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY TOKYO

AMEMBASSY THE HAGUE

AMEMBASSY TUNIS

AMEMBASSY MOSCOW

AMEMBASSY LONDON

UNCLAS STATE 069955

E.O. 11652: N/A

TAGS: PORG, EAIR, ICAO

SUBJ: ICAO LEGAL SUBCOMMITTEE MEETING APRIL 2-23, 1975

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 069955

1. SUBJECT MEETING IS TO CONSIDER REVISION OF 1952 ROME CONVENTION (WHICH COVERS DAMAGE CAUSED BY FOREIGN AIRCRAFT TO THIRD PARTIES ON THE SURFACE -- U.S. NOT A PARTY), AND A POSSIBLE NEW TREATY ON LIABILITY OF AIRCRAFT FOR NOISE AND SONIC BOOM DAMAGE. ROME CONVENTION, AS WELL AS MANY OTHER TRANSPORTATION CONVENTIONS, ESTABLISH LIMITS OF LIABILITY IN A UNIT OF CURRENCY CALLED THE POINCARÉ-FRANC, BASED IN GOLD, WHICH NO LONGER SERVES EFFECTIVELY AS A UNIT OF ACCOUNT.

2. SUBJECT HAS IMPORTANCE NOT FOR ROME CONVENTION WORK, SINCE FINAL ACTION ON REVISION IS SOME DISTANCE OFF, BUT FOR UPCOMING DIPLOMATIC CONFERENCE (BEGINS SEPT) ON REVISION OF WARSAW CONVENTION. (THE WARSAW CONVENTION COVERS AIR CARRIER LIABILITY FOR INJURY OR DEATH TO PASSENGERS IN INTERNATIONAL TRANSPORTATION AND FOR LOSS OR DAMAGE TO CARGO. THE SEPT DIPLOMATIC CONFERENCE IS SPECIFICALLY DEVOTED TO THE PROVISIONS ON CARGO.) IN ORDER TO ENHANCE POSSIBILITIES FOR A SUCCESSFUL CONFERENCE, AND BECAUSE NO PREPARATORY WORK HAS BEEN DONE ON A SUBSTITUTE FOR POINCARÉ-FRANC CLAUSE, WE BELIEVE CONSIDERATION OF SUBJECT SHOULD BEGIN AT EARLIEST POSSIBLE TIME. ULTIMATELY, IF

POSSIBLE, WE WOULD HOPE TO CO-SPONSOR PROPOSAL WITH OTHERS WHICH COULD BE SUBMITTED AS ADVANCE DOCUMENTATION FOR CIRCULATING TO GOVERNMENTS WELL BEFORE SEPT CONFERENCE IS TO BEGIN.

3. WITH THIS IN MIND, WE HOPE SOME OF THE LEGAL SUBCOMMITTEE MEMBERS WOULD BE PREPARED, ON AN INFORMAL BASIS ONLY, AND OUTSIDE OF REGULAR SUBCOMMITTEE SESSIONS, TO ENGAGE IN PRELIMINARY EXCHANGE OF VIEWS ON POSSIBLE SOLUTIONS. WITH OTHERS WHO ARE SYMPATHETIC, WE WOULD THEN INTEND TO FOLLOW UP IN COMMUNICATIONS IN MAY-JUNE WITH DEVELOPMENT OF A SPECIFIC PROPOSAL FOR SUBMISSION AS ADVANCE CONFERENCE DOCUMENT.

4. ACTION ADDRESSEES SHOULD CONTACT APPROPRIATE HOST GOVERNMENT OFFICIALS AND INDICATE UTILITY WE SEE IN INITIAL SOUNDINGS OUT AT SUBCOMMITTEE SESSION. AT THIS UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 069955

STAGE U.S. HAS NO SPECIFIC PROPOSAL TO MAKE, BUT WOULD BE PREPARED TO DISCUSS VARIOUS ALTERNATIVES TO THE GOLD CLAUSE. WE FEEL IT IS IMPORTANT THAT A DIALOGUE SHOULD BEGIN NOW TO PROMOTE AN ADEQUATE RESOLUTION OF ISSUE AT SEPT DIPLOMATIC CONFERENCE. TREASURY PREPARED TO HAVE REPRESENTATIVE ON US DELEGATION FOR DISCUSSIONS ON THIS POINT.

5. MEMBERS OF SUBCOMMITTEE AT FIRST SESSION ON ROME
CONVENTION AS FOLLOWS:

ARGENTINA - MR. H.A. PERUCCHI

BELGIUM - MR. A. MELCHOIR

CANADA - MR. N. NORTON

- MR. C. KENNEDY

- MR. T.C. BACON

CHILE - MR. E.H. PRIETO-RAVEST

- MRS. G. VARAS A.

FRANCE - MR. Y. BONDUELLE

GERMANY (FRG) - MR. O.H. FAULL

- MR. M. ROEBBERT

JAPAN - MR. H. YAMAGUCHI

- MR. N. NAKANO

- MR. S. IIDA

NETHERLANDS - MR. P.J. SWART

- MRS. J.J.T. ENTZINGER-BENNINK

TUNISIA - MR. J. MENCHARI

USSR - MR. P. EVSEEV

- MR. E. POPOV

- MR. O. SADIKOV

- MR. P. KOSSOVAROV

R. P. KOSSOVAROV

U.K. - MR. A.W.G. KEAN

EMBASSY PARIS SHOULD INFORM GUILLAUME, PAST ICAO LEGAL
COMMITTEE PRESIDENT. EMBASSY BUENOS AIRES SHOULD INFORM
GUTRTZ, CURRENT ICAO LEGAL COMMITTEE PRESIDENT.

6. FOR MONTREAL: WE LEAVE TO YOUR DISCRETION ANY
BRIEFING OF COUNCIL REPS AND COUNCIL PRESIDENT BINAGHI.
UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 069955

KISSINGER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, AIRCRAFT, INSTRUCTIONS, COMMITTEE MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 27 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE069955
Document Source: CORE
Document Unique ID: 00
Drafter: FKWILLIS:LMS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750109-0275
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t1975038/aaaaahau.tel
Line Count: 155
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: hartledg
Review Comment: n/a
Review Content Flags:
Review Date: 20 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 JUN 2003 by RuthemTJ>; APPROVED <02 MAR 2004 by hartledg>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ICAO LEGAL SUBCOMMITTEE MEETING APRIL 2-23, 1975 UNCLASSIFIED
TAGS: PORG, EAIR, ICAO, (PERUCCHI, H A), (MELCHOIR, A), (NORTON, N), (KENNEDY, C), (BACON, T C), (PRIETO-RAVEST, E H)
To: BUENOS AIRES MULTIPLE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006